IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 11TH APRIL 2007 / 21ST CHAITHRA 1929

Bail Appl..No. 2331 of 2007()

PETITIONER

M.K.RAJESH, AGED 36 YEARS,
S/O OF M.K. KRISHNANKUTTY, PADMASREE,
P.O.KINAVALLUR, PARALI,
PALAKKAD.

BY ADV. SRI.M.V.BOSE
SRI.VINOD MADHAVAN
SMT.NISHA BOSE

RESPONDENTS:

STATE OF KERALA, REP. BY
ITS PUBLIC PROSECUTOR, HIGH COURT OF KERALA, EKM.

BY PUBLIC PROSECUTOR SRI. P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 11/04/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V.RAMKUMAR, J.

Bail Application No. 2331/2007

Dated this 11th day of April, 2007

O R D E R

The petitioner, who is the accused in Crime No.205/2005 of Kottayi Police Station for offences punishable under Sections 452, 324, 427 and 506(i) IPC, seeks anticipatory bail.

2. Consequent on the non-appearance of the petitioner in C.C.No.234/2006 on the file of the J.F.C.M-II, Palakkad, non bailable warrants of arrest have been issued against him. Such being the position, I am not inclined to nullify the process issued by a court of competent jurisdiction by granting anticipatory bail. There is no reason why the petitioner should not surrender before the Magistrate and seek regular bail.

3. Accordingly, if the petitioner surrenders before the Magistrate and files an application for regular bail within two weeks from today, the same shall be considered and disposed of, preferably on the same day on which it is filed, after considering the medical ground namely that he was afflicted with HIV positive put forward by the petitioner.

The application is disposed of as above.

V.RAMKUMAR,
JUDGE

mrcs